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13 Attorneys for Plaintiffs

14 SUSAN K. MYERS, MICHAEL F. MYERS

and KEITH J. GOTT

16 **UNITED STATES DISTRICT COURT**

17 **FOR THE DISTRICT OF NEVADA**

18 SUSAN K. MYERS, individually and as
trustee of the Susan K. Myers Living Trust
19 dated January 8, 2001, MICHAEL F.
MYERS, individually and as trustee of the
20 Susan Myers Massachusetts Trust, dated July
21 11, 2008, and KEITH J. GOTT, as trustee of
the Michael F. Myers Massachusetts Trust,
22 dated October 23, 2008, and the Michael F.
Myers Massachusetts Trust, dated December
23 3, 2008,

24 Plaintiffs,

25 v.

26 JAMES ARCHIBALD and PORT CAPITAL
MANAGEMENT LLC, a limited liability
company,

27 Defendants.

Case No: 3:10-cv-258-RCJ-WGC

**STIPULATION FOR DISMISSAL OF
ACTION WITH PREJUDICE**

1 IT IS HEREBY STIPULATED AND AGREED, by and between plaintiffs Susan K.
2 Myers, Michael F. Myers, and Keith J. Gott and defendants James Archibald and Port Capital
3 Management LLC, through undersigned counsel, that this action is DISMISSED WITH
4 PREJUDICE.

5 DATED: December 28, 2011 KASOWITZ, BENSON, TORRES & FRIEDMAN LLP

6
7 By: /s/ Charles N. Freiberg
Charles N. Freiberg (Admitted *Pro Hac Vice*)
101 California Street, Suite 2300
8 San Francisco, CA 94111
9 Attorneys for Plaintiffs
Susan K. Myers, Michael F. Myers, and Keith J. Gott

10 DATED: December 28, 2011 BOWDITCH & DEWEY LLP

11
12 By: /s/ Louis M. Ciavarra
13 Louis M. Ciavarra (Admitted *Pro Hac Vice*)
311 Main Street
14 Worcester, MA 01608
15 Attorneys for Defendants
16 James Archibald and Port Capital Management LLC